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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): B. TOWNSEND, et al.

Serial No.: 10/790,177

Filed: March 2, 2004

For: PROSTHETIC FOOT

Group: 3738

Examiner: Alvin J. STEWART

TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

February 14, 2005

Sir:

Petitioners, Barry W. Townsend and Byron K. Claudino, represents that they are the owners of the entire right, title and interest of U.S. Application Serial No. 10/790,177, filed March 2, 2004, for PROSTHETIC FOOT.

Petitioners hereby disclaims all that portion of the term of any patent to be issued on the above-identified application subsequent to the expiration date of the full statutory term, defined in 35 U.S.C. 154 to 156 and 173, of their commonly owned U.S. Patent Nos. 6,443,995 and 6,743,260 issued September 3, 2002 and June 1, 2004, and hereby agree that any patent issued on the above-identified application shall be enforceable only for and during such time as the said U.S. Patent Nos. 6,443,995 and 6,743,260 and the above-identified application are commonly owned.

Petitioners, however, do not disclaim the terminal part of any patent granted on the instant application prior to the expiration date of the full statutory term,

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defined in 35 U.S.C. 154 to 156 and 173, of the above-listed U.S. Patent Nos. 6,443,995 and 6,743,260 in the event that U.S. Patent Nos. 6,443,995 and 6,743,260 expires: for failure to pay a maintenance fee; is held unenforceable; is found invalid; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321; has all claims cancelled by a reexamination certificate; is reissued; or is otherwise terminated prior to expiration of the above-referred-to full statutory term, except for the separation of legal title as stated above.

This disclaimer is to be binding with respect to any patent granted on the above-identified application, and is binding upon grantees, their successors, or assignees of any interests.

The undersigned is an attorney of record in this application and is empowered to act on behalf of Barry W. Townsend and Byron K. Claudino for execution and submission of Terminal Disclaimer, in accordance with the provisions of 37 CFR 1.321(b) and (c), effective January 4, 1994.

The undersigned hereby declares that all statements made herein of his knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine, or imprisonment, or both, under Section 1001 of Title 18 of the United States Code

and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully Submitted,

Antonelli, Terry, Stout & Kraus, LLP

A handwritten signature in black ink, appearing to read "Ronald J. Shore". The signature is fluid and cursive, with the first name "Ronald" being more prominent.

Ronald J. Shore
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